

HOUSE BILL 702

By Brooks K

AN ACT to amend Tennessee Code Annotated, Section 33-2-403 and Title 71, Chapter 2, Part 4, relative to mental health and developmental disabilities facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-2-403(b), is amended by deleting the word "and" at the end of subdivision (8), by deleting the period at the end of subdivision (9) and by substituting instead the language and punctuation "; and" and by adding a new subdivision thereto, as follows:

(10) A facility operated by a nonprofit entity that provides educational services to persons over the age of eighteen (18) who have a developmental disability of mental retardation and that does not receive funding from the state of Tennessee, Medicaid, Medicare, TennCare, or other governmental program. A facility exempted pursuant to this subdivision (b)(10) shall not include an "adult habilitation facility" or any other facility that otherwise is required to be licensed by the department.

SECTION 2. Tennessee Code Annotated, Section 71-2-402, is amended by adding a new subsection thereto, as follows:

(c) A facility operated by a nonprofit entity that provides educational services to persons over the age of eighteen (18) who have a developmental disability of mental retardation and that does not receive funding from the state of Tennessee, Medicaid, Medicare, TennCare, or other governmental program shall not be subject to the licensing provisions of this part.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.